

Problem-Solving Courts

Clerks of the Circuit Court Conference
June 13, 2012

What is a Problem-Solving Court?

An immediate and highly structured judicial intervention that incorporates the following concepts:

- Enhanced information sharing
- Engaging the community
- Collaboration with social service providers
- Linkages with community resources based on assessed risk and needs
- Participant accountability
- Continuous program evaluation

Eligibility

- ▶ Adults
- ▶ Juveniles
- ▶ Families
- ▶ Criminal defendants – diversion and post-conviction, felony and misdemeanor
- ▶ Parties in civil proceedings

Models

- Drug Court
- Reentry Court
- Mental Health Court
- Veterans' Court
- Community Court
- Family Dependency Drug Court
- Domestic Violence Court
- Any other court certified as a problem-solving court by the Indiana Judicial Center

Services

- Screening for eligibility and services
- Assessment
- Education
- Referral
- Service coordination and case management
- Supervision
- Judicial involvement
- Program evaluation
- Treatment and rehabilitative services

Fiscal Support

- Gifts, bequests and donations from private sources
- Grants and contract money from governmental sources
- Other forms of financial assistance approved by the court
- User fees
- City or county general fund money

User Fees

Court may charge a fee for problem-solving court services (IC 33-23-16-23)

- Board of Directors shall adopt rules establishing a range of fees for problem-solving court services
- Court is required to adopt a schedule of fees charged to participants by local court rule
- Clerk is required to collect the fees and transmit the fees to the auditor for deposit in the appropriate user fee fund (IC 33-37-8)
- Fees collected under this statute must be used only to fund problem-solving court services under this chapter

H.E.A. 1049, P.L.136-2012
Effective July 1, 2012

The problem solving court or the clerk of the court shall collect fees under this chapter.

User Fees

Problem-Solving Courts Rules (Section 16)

- Court may assess an administration fee of not more than \$100 per admission to a problem-solving court for initial services
- Court may assess a monthly user fee (beginning the second month of participation) of not more than \$50 for the length of problem-solving court participation

Transfer Fee

Problem-Solving Courts Rules (Section 26)

- A problem-solving court may charge a transfer fee not to exceed \$25 to initiate or accept transfers of individuals to or from another court.

Chemical Testing Costs

IC 33-23-16-24

- A court may require a problem-solving court participant to pay for the cost of any or all chemical tests administered. Costs of chemical testing include laboratory expenses and problem-solving court expenses.

Problem-Solving Court Rules (Section 25)

- Court policy and procedure must specify the cost of and payment procedures for chemical testing.

► Indiana Code

- <http://www.in.gov/legislative/ic/code/title33/ar23/ch16.html>

► Problem-Solving Court Rules

- <http://www.in.gov/judiciary/pscourts/files/pscours-rules.pdf>

Diane Mains, Staff Attorney
Indiana Judicial Center
30 S. Meridian St., Ste 900
Indianapolis, IN 46204
317.234.5757
diane.mains@courts.in.gov
